

May-24-05 05:38pm From Murphy, Pearson, Bradley, Feeley

#B16-665-1627

T-276 P.002/004 F-018

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\*\*E-filed 5/31/05\*\*

8 Attorneys for Defendants  
 9 TATE & KIRLIN ASSOCIATES

10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF DISTRICT  
 13 SAN JOSE DIVISION

14 BRIAN MINICK, an Individual on behalf of  
 15 himself and all others similarly situated

16 Plaintiff,

17 v.

18 TATE & KIRLIN ASSOCIATES, PAT  
 19 SHARPE, MARK BREWER and SHERMAN  
 20 ACQUISITION II LLP a/k/a SHERMAN  
 21 FINANCIAL GROUP and ALEGIS GROUP LP.

22 Defendants.

23 Case No.: C05 00457 JF

24 STIPULATION AND [PROPOSED]  
 25 ORDER CONTINUING THE STATUS  
 CONFERENCE HEARING

26 Current CMC Date:

Date: June 10, 2005

Time: 10:30am

Location: Courtroom 3

27 CMC Date Requested:

Date: June 3, 2005

Time: 10:30am

Location: Courtroom 3

28 Judge: Honorable Jeremy Fogel

Plaintiff BRIAN MINICK and Defendants TATE & KIRLIN ASSOCIATES, and Defendants SHERMAN ACQUISTION II through their respective counsel of record in this matter, pursuant to Civ. L.R. 6-1 and 6-2, hereby stipulate to, and request the court issue an order changing the hearing date of the initial case management conference hearing currently set for June 10, 2005. Defense counsel June Coleman has a previously-scheduled out of town commitment on June 10, 2005. Further, the parties will be appearing before this court at the hearing on Tate & Kirlin Associates' Motion to Dismiss on June 3, 2005, and plaintiff's counsel and defense counsel June Coleman will be appearing before this Court on June 3, 2005, in another case.

May-24-05 08:38pm From-Murphy, Pearson, Bradley, Feeney

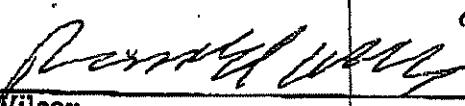
#816-563-1627

T-27B P.004/004 F-018

Pursuant to this stipulation, the parties respectfully request that the Court issue an order granting the proposed date of the initial case management conference, and that said conference be scheduled for 10:30 a.m. on June 3, 2005, to be heard in Courtroom 3 of the Court.

The parties agree that this stipulation and the resulting changes of the foregoing hearings will not otherwise affect the schedule for this case.

Dated: May 26, 2005

By   
 Ronald Wilcox  
 O. Randolph Bragg  
 Attorneys for Plaintiff  
 BRIAN MINICK

Dated: May 20, 2005

MURPHY, PEARSON, BRADLEY & FEENEY

By   
 June D. Coleman  
 Attorneys for Defendants  
 TATE & KIRLIN ASSOCIATES

Dated: May       , 2005

CARLSON, MESSER & TURNER, LLP

By   
 Stephen H. Turner  
 Gregory K. Kechichian  
 Larissa G. Nefulda  
 Attorneys for Defendants  
 SHERMAN ACQUISITION II

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 5/31/05

/s/electronic signature authorized

Honorable Jeremy Fogel  
 Judge, U.S. District Court  
 Northern District of California

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Pursuant to this stipulation, the parties respectfully request that the Court issue an order granting the proposed date of the initial case management conference, and that said conference be scheduled for 10:30 a.m. on June 3, 2005, to be heard in Courtroom 3 of the Court.

The parties agree that this stipulation and the resulting changes of the foregoing hearings will not otherwise affect the schedule for this case.

Dated: May \_\_\_\_\_, 2005

By \_\_\_\_\_  
Ronald Wilcox  
O. Randolph Bragg  
Attorneys for Plaintiff  
BRIAN MINICK

Dated: May 20, 2005

MURPHY, PEARSON, BRADLEY & FEENEY

By   
June D. Coleman  
Attorneys for Defendants  
TATE & KIRLIN ASSOCIATES

Dated: May 25, 2005

CARLSON, MESSER & TURNER, LLP

By   
Stephen H. Turner  
Gregory K. Kechichian  
Larissa G. Nefulda  
Attorneys for Defendants  
SHERMAN ACQUISITION II

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_

Honorable Jeremy Fogel  
Judge, U.S. District Court  
Northern District of California

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